

REMARKS

Applicants are submitting this amendment after final rejection under 37 CFR 1.116 because they believe that all claims now presented are in condition for allowance. In any event entry of this amendment will place the application in better form for appeal. Applicants have added no new matter and raised no new issues. Finally the Applicants are making purely formal changes in the claims in direct response to points raised by the Examiner in the last office action. Applicants could not have made these changes at an earlier date.

Applicants appreciate the Examiner's allowance of claims 1 through 13 and 21. Applicants also appreciate the Examiner's rejoinder of claims 14,15, 18 through 20 and 22. Applicants have amended claims 14,15,18 and 22 and believe that these claims, as well as claims 19, 20 and 21, dependent upon claim 18, are now in condition for allowance as well.

Applicants have amended claim 14 to sharply define the pH in a range of 4 to 6 so that the pH range is definite and not open-ended and have amended claim 15 to delete the word "especially" so that claim 15 is no longer improperly alternative. Antecedent basis for the amendment to claim 14 may be found on page 9, line 9 of the specification. Thus Applicants believe that these amendments place claims 14 and 15 in condition for allowance.

Applicants have amended claims 18 and 22 to specify that the kinds of cancer malignancies treated according to the present method of treatment. Those malignancies include breast, uterine, esophageal, bladder, or lung tumors. See the clinical data on pages 20 through 28 of the specification for antecedent basis. Now that Applicants have specified the kinds of malignancies treated, Applicants have overcome the Examiner's rejection of claims 18, 19, 20 and 22 under 35 USC 112, first paragraph.

Applicants believe that all claims now presented are in condition for allowance and earnestly solicit a response to that effect.

K.F. Ross P.C.

*/Jonathan Myers/*

By: Jonathan Myers, 26,963  
Attorney for Applicant

09 January 2009  
5683 Riverdale Avenue Box 900  
Bronx, NY 10471-0900  
Cust. No.: 535  
Tel: 718 884-6600  
Fax: 718 601-1099  
Email: [email@kfrpc.com](mailto:email@kfrpc.com)

Enclosure:  
None.